### **EXHIBIT A**

# IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TYLER DIVISION

STA-RITE INDUSTRIES, LLC F/K/A	§	
SHURFLO, LLC F/K/A SHURFLO	§	
PUMP MANUFACTURING COMPANY,	§	
	§	
Plaintiff,	§	
	§	Civil Action No. 6:08-CV-59
<b>v.</b>	§	CIVIL PICCION 1 (0. 0.00 C V 2)
	§	
ITT CORPORATION, ITT	§	
INDUSTRIES, FLOJET	§	
CORPORATION, ITT JABSCO, INC.,	§	
AND RULE INDUSTRIES, INC.,	§	
	§	
Defendants.	§	

### AGREED MOTION TO DISMISS WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a) and the terms of a separate agreement, the Parties have agreed to settle, adjust and compromise all claims in the above-captioned action. The Parties, therefore, move this Court to dismiss the above-entitled cause and all claims by Plaintiff against Defendants and all claims by Defendants against Plaintiff made or which could have been made therein with prejudice to the re-filing of same.

The Parties further move the Court to order that all costs and expenses relating to this action (including attorney and expert fees and expenses) shall be borne solely by the Party incurring same.

### /s/ Michael A. Nicodema by permission

Michael A. Nicodema, admitted pro hac vice

nicodemam@gtlaw.com

GREENBERG TRAURIG, LLP

200 Park Avenue

PO Box 677

Florham Park, New Jersey 07932

Telephone: 973-360-7900 Facsimile: 973-301-8410

Mary-Olga Lovett lovettm@gtlaw.com Paul J. Brown brownpa@gtlaw.com GREENBERG TRAURIG, LLP 1000 Louisiana Street, Suite 1800 Houston, Texas 77002

Gerald L. Fellows, admitted *pro hac vice* fellowsj@gtlaw.com
Kimberly A. Warshawsky, admitted *pro hac vice* warshawskyk@gtlaw.com
GREENBERG TRAURIG, LLP
2375 East Camelback Road, Suite 700
Phoenix, Arizona 85016

Telephone: 602-445-8000 Facsimile: 602-445-8100

Douglas R. McSwane, Jr.
State Bar No 1381300
E. Glenn Thames, Jr.
State Bar No. 00785097
POTTER MINTON
A Professional Corporation
110 N. College, Suite 500 (75702)
P. O. Box 359

Tyler, Texas 75710

Telephone: 903-597-8311 Facsimile: 903-593-0846

dougmcswane@potterminton.com

COUNSEL FOR PLAINTIFF

# /s/ Brett C. Govett

Brett C. Govett

Texas Bar No. 08235900

Karl G. Dial

Texas Bar No. 05800400

Miriam L. Quinn

Texas Bar No. 24037313

**Dustin Mauck** 

Texas Bar No. 24046373

#### FULBRIGHT & JAWORSKI L.L.P.

2200 Ross Avenue, Suite 2800

Dallas, TX 75201-2784
Telephone: 214-855-8000
Facsimile: 214-855-8200
Email: bgovett@fulbright.com
Email: kdial@fulbright.com
Email: mquinn@fulbright.com
Email: dmauck@fulbright.com

George W. Jordan III
Texas Bar No. 00796850
FULBRIGHT & JAWORSKI L.L.P.
1301 McKinney, Suite 5100
Houston, Texas 77010-3095
Telephone: 713-651-5151
Facsimile: 713-651-5246

Otis Carroll Deborah J. Race Ireland, Carroll & Kelley, PC 6101 S. Broadway, Suite 500

Email: gjordan@fulbright.com

Tyler, Texas 75703

Telephone: 903-561-1600 Facsimile: 903-581-1071 fedserv@icklaw.com

**COUNSEL FOR DEFENDANTS**